

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL ACTION NO. 1:11-CV-302-MR-DCK**

IRENE C. STOWE, )  
Plaintiff, )  
v. )  
MICHAEL J. ASTRUE, )  
Commissioner of Social Security, )  
Defendant. )

**THIS MATTER IS BEFORE THE COURT** on Defendant's "Consent Motion For Entry Of Order Accepting The Parties' Settlement Agreement On Attorney's Fees" (Document No. 18) filed March 28, 2013. This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B), and immediate review is appropriate. Having carefully considered the motion and record, and applicable authority, and noting consent of Plaintiff's counsel, the undersigned will grant the motion.

**IT IS, THEREFORE, ORDERED** that Defendant's "Consent Motion For Entry Of Order Accepting The Parties' Settlement Agreement On Attorney's Fees" (Document No. 18) is hereby **GRANTED**.

**IT IS FURTHER ORDERED** that the United States Social Security Administration shall pay attorney's fees in the amount of three thousand nine hundred twenty-nine dollars and twelve cents (\$3,929.12) in full satisfaction of any and all attorney's fee claims Plaintiff may have in this case under EAJA. Pursuant to the United States Supreme Court's ruling in Astrue v. Ratliff, 130 S. Ct. 2521 (2010), these attorney's fees are payable to Plaintiff as the prevailing party, and are subject to offset through the Treasury Department's Offset Program to satisfy any pre-existing debt Plaintiff

may owe to the government. If, subsequent to the entry of this Order, the Commissioner determines that Plaintiff owes no debt to the government that would subject this award of attorney's fees to offset, the Commissioner may honor the Plaintiff's October 14, 2011, signed assignment of EAJA fees providing for payment of the subject fees to Plaintiff's counsel rather than to Plaintiff. If, however, the Commissioner discovers that Plaintiff owes the government any debt subject to offset, the Commissioner shall pay any attorney's fees remaining after such offset to Plaintiff, rather than to counsel.

**SO ORDERED.**

Signed: March 28, 2013



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David C. Keesler  
United States Magistrate Judge

